Remarks/Arguments:

The Abstract has been objected to. The Abstract has been revised. Withdrawal of the objection is respectfully requested.

Claim 20 has been rejected under the judicially created doctrine of obviousness-type double patenting. The rejection is rendered moot by the cancellation of claim 20.

Claims 1-3 and 21 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Takemura (U.S. Patent No. 6,172,960). The rejection is respectfully traversed. It is respectfully submitted that these claims are patentable over the art of record for the reasons set forth below.

Applicants' invention, as recited by claim 1, includes a feature which is neither disclosed nor suggested by the art of record:

> ... the first and second address pit sequences each having a respective center axis extending along the information reading direction disposed equidistantly from and on opposing sides of a second center line of said address section, ...
>
> ... the second center line is shifted in a radial direction of said disc, with respect to the first center line to form a predetermined offset. (emphasis added)

Applicants' Figure 1 illustrates an exemplary embodiment which corresponds to claim 1. The following features appear in Applicants' Figure 1:

1. First address pit sequence 3a;

2. Second address pit sequence 3b;

3. Center axis (of first address pit sequence): 1ac;

4. Center axis (of second address pit sequence): 3bc:

5. First center line 1c; and

6. Second center line: 3c.

It is because of the relationship between the first center line 1c and the second center line 3c that there is an offset of the position in the radial direction of the two center lines. In other words, as shown in Figure 1, first center line 1c and second center line 3c are offset relative to each other. This offset is identified in Applicants' Figure 1 as d1.

This is different than Takemura. Figure 3a of Takemura shows one center line of a groove 21 as a recording track and another center line position between first address block 16, 17 and second address blocks 18, 19. The center line of groove 21 and the center line between first address block 16, 17 and second address blocks 18, 19, coincide in a radial direction. Thus, in Takemura, these two axes are not offset relative to each other. An offset corresponding to Applicants' d1 is neither disclosed nor suggested by Takemura.

Thus, Takemura lacks a structure which corresponds to Applicants' "offset" (which is illustrated in exemplary Figure 1 as "d1"). Takemura also lacks Applicants' claimed "address sequences."

It is also important to emphasize that Applicants' claimed axes relate to "address sequences" of a recording track. This should not be confused with Takemura's groove center line and Takemura's LAN center line.

Accordingly, claim 1 is patentable over the art of record.

Claim 2 and 3 are patentable by virtue of their dependency on allowable claim 1.

Claim 21, while different then claim 1, is patentable over the art of record for reasons similar to those set forth above with regard to claim 1.

In addition, the Official Action identified a center line in Takemura and argued that the center line corresponds to the center line of Applicants' claim 3. The line identified by the Official Action, however, is simply a virtual line in the case that light spot has shifted. For this additional reason, claim 3 is patentable over Takemura.

Claim 4 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takemura in view of Ton-That (U.S. Patent No. 5,796,543). Claim 4, however, is patentable over the art of record by virtue of its dependency (indirectly) on claim 1.

Claims 6 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takemura in view of Miyagawa (U.S. Patent No. 6,118,752). These claims, however, are also patentable over the art of record by virtue of their dependency on allowable independent claims.

Claim 8, 9 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takemura in view of Tanoue (U.S. Patent No. 6,064,643) and Inui (U.S. Patent No. 5,933,411). These claims, however, are also patentable over the art of record by virtue of their dependency on allowable claims.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA/fp

Attachment: Abstract

Dated: September 5, 2006

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

September 5, 2006